MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

MARCH 3, 2015

INVOCATION:
Pastor Joe Hunt of Pacific Christian Center gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Boysen led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, Deputy City Manager Barnhard, Director of Public Works/City Engineer Kahn, Fire Chief Orr, Director of Utilities Springer, Deputy City Manager Tse, Director of Administrative Services Visé, Recreation Manager Reyburn, and Chief Deputy City Clerk Garietz.

1. PROCLAMATIONS/COMMENDATIONS/PRESENTATIONS:

A. PROCLAMATION – SPECIAL OLYMPICS HOST TOWN
Councilmember Orach presented a Proclamation recognizing Special Olympics World Games "Brag Tag" Days and welcoming National Olympic Teams to Santa Maria from July 21-24, 2015. Savannah Barclay, Jim Bray, and Dan Suchecki accepted the Proclamation.

Jim Bray presented the official flag for the 2015 World Games and acknowledged a few of the athletes in the audience who will be participating. He also announced the City would be welcoming athletes from France, Mauritius, and Congo-all French speaking countries.

Dan Suchecki, a representative from Coca-Cola, explained that Coca-Cola will be collaborating with the Special Olympics to raise funds to help cover the costs involved with being a Host Town to the athletes.

Recreation Manager Reyburn congratulated the participating athletes and invited everyone to support the event either financially or by attending the games in support of the athletes.

2. PUBLIC COMMENT PERIOD:
Anthony Morales, representing the Santa Maria Firefighters Local 2020, acknowledged and thanked the City Council for the outcome of recent employee negotiations regarding wage and benefit packages.

Mary Jacka, representing LULAC, spoke about a recent homeless survey and was appreciative of the fact that it identified veterans as a specific category. She also commented on the City's General Plan and requested that senior housing and all levels of low-income families be given priority.

3. CONSENT CALENDAR:
Councilmembers Boysen and Waterfield recused themselves from voting on Item 3F (Warrants) due to financial conflicts of interest.

Mayor Patino commented on Item 3K (Call for Bids for Oakley Park Improvements) saying she was pleased to see the progress being made in the park. She acknowledged the volunteers who have helped make the transition happen.

Consent Calendar Items 3A through 3L (except 3F) were approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES:	Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Consent Calendar Item 3F (Warrants) only was approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote: 3-0-2

AYES: Councilmembers Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmembers Boysen and Waterfield

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular meeting of the City Council of February 17, 2015, were approved as submitted.

C. CONFLICT OF INTEREST CODE AMENDMENT
Resolution No. 2015-15 was adopted amending Appendix A of the City of Santa Maria's Conflict of Interest Code.

Resolution No. 2015-15 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

D. EMPLOYEE WAGE AND BENEFIT PACKAGES
Resolution Nos. 2015-16 and 2015-17 were adopted approving an amendment to and extension of the current Memorandum of Understanding (MOU) with the Santa Maria City Fire Fighters' Union Local 2020; and a wage and benefit package for the non-represented full-time Public Safety Managers.

Resolution No. 2015-16 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AMENDMENT TO AND AN EXTENSION OF THE MEMORANDUM OF UNDERSTANDING WITH SANTA MARIA CITY FIRE FIGHTERS' UNION LOCAL 2020.

Resolution No. 2015-17 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A WAGE AND BENEFIT PACKAGE FOR THE PUBLIC SAFETY MANAGERS.

E. WORKERS' COMPENSATION AGREEMENT
Resolution No. 2015-18 was adopted authorizing the City Attorney to execute an Agreement with AdminSure for third party claims administration services of the Workers' Compensation Program for the City for fiscal years 2015-2016 with options to extend the agreement into future years.

Resolution No. 2015-18 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AND AUTHORIZING THE CITY ATTORNEY TO EXECUTE AN AGREEMENT WITH ADMINSURE FOR THIRD PARTY CLAIMS ADMINISTRATION SERVICES OF THE WORKERS' COMPENSATION PROGRAM.

F. WARRANTS
Warrant Nos. 191715 to 191513 totaling $1,815,346.29 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 187093, 187311, and 191513 were cancelled.

G. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

H. ADOPTION OF ORDINANCE NO. 2015-03 - SANTA MARIA FAIRWAY PINES
The City Council conducted the second reading and adoption of Ordinance No. 2015-03 amending the official zoning map for 1.5 acres for the Santa Maria Fairway Pines, GPZ-2014-0004, Assessor's Parcel Nos. 111-710-001 through -007, located at 2640 to 2650 Industrial Parkway.

Ordinance No. 2015-03 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FOR 1.5 ACRES FOR THE SANTA MARIA FAIRWAY PINES PROJECT, GPZ2014-0004, ASSESSOR'S PARCEL NOS. 111-710-001 THROUGH -007, LOCATED AT 2640 TO 2650 INDUSTRIAL PARKWAY.

I. 2014 GENERAL PLAN REPORT UPDATE
The City Council received the 2014 General Plan Annual Report and directed the Chief Deputy City Clerk to file said report with the Governor's Office of Planning and Research; and Housing and Community Development Department.

J. PORTAL-TO-PORTAL COMPENSATION FOR CERTAIN FIRE DEPARTMENT PERSONNEL
Resolution No. 2015-19 was adopted authorizing overtime and portal-to-portal pay for certain Fire Department positions pursuant to the California Fire Assistance Agreement.

Resolution No. 2015-19 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING OVERTIME AND PORTAL-TO-PORTAL PAY FOR CERTAIN FIRE DEPARTMENT POSITIONS.

K. CALL FOR BIDS
The City Council gave approval to call for bids on the plans and specifications for Bid No. 2015/05, Oakley Park Improvements.

L. LANDSCAPE MAINTENANCE DISTRICTS
Resolution Nos. 2015-20 and 2015-21 were adopted annexing and assessing projects within the Southwest and Northeast Landscape Maintenance Districts and any Special Benefit Zone.

Resolution No. 2015-20 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO BETHEL LUTHERAN CHURCH SENIOR HOUSING AND BETHEL LUTHERAN CHURCH CASA DE BAMBINI LOCATED IN THE NORTHEAST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

Resolution No. 2015-21 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO THE CITY OF SANTA MARIA POLICE DEPARTMENT LOCATED IN THE SOUTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

4. MEASURE U2012 CITIZENS' OVERSIGHT COMMITTEE ANNUAL REPORT. City Manager Haydon and Committee Vice-Chair Mollenkopf gave a presentation as detailed in the Council Agenda Report. On June 5, 2012 the City of Santa Maria approved Measure U2012 which provided an additional one-quarter cent transactions and use tax. A five-person Measure U2012 Citizens' Oversight Committee was established and charged with ensuring oversight of the revenue in relation to Council's intended use for the tax proceeds.

Once the tax became operational, the City Council approved the Measure U2012 Expenditure Plan authorizing the tax proceeds to finance the operational costs associated with Fire Station No. 5, along with a Battalion Chief and one limited service Emergency Services Coordinator in the Fire Department. Funding was also approved for seven Police Officers, five Police Sergeants, one Crime Analyst, and one Dispatcher. In addition, City Library hours were increased and five limited service employees were added as well as one Senior Parks Services Officer, one Code Compliance Officer, one limited service employee to assist the Police Activities League (PAL) Program, and two limited service employees to enhance the City's Graffiti Abatement Program. Funding was also allotted to finance the purchase of four police-related vehicles, convert a limited Emergency Services Coordinator position to part-time, and hire one additional Police Commander.

The 2013-14 Expenditure Plan primarily consisted of items forwarded from the 2012-13 Expenditure Plan. In addition to those items mentioned, there were three other components authorized by Council: 1) a loan to finance the repair to the Santa Maria levee; 2) a new Police Commander position; 3) and financing toward the Annual Audit. Funding was also set aside toward Self-Contained Breathing Apparatus for the Fire Department.

At the beginning of the year, the fund balance was $1,020,446. During fiscal year 2013-14, $3,771,285 in Measure U tax proceeds were received and expenditures were $4,036,999. The $265,714 difference reduced the fund balance to $754,732. 93 percent of Measure U funding was spent on public safety, leaving seven percent (7%) in non-public safety areas.

Councilmember Boysen asked about a previous incorrect assumption that would explain the difference projected revenues versus actual receipts.

City Manager Haydon explained that when the budget was put together for Measure U, the City had never had a use tax so projecting revenues was challenging. In working with the City's sales tax consultant, revenue expectations for Measure U were based off what a proportionate share with the City's one percent (1%) sales tax. Therefore, a quarter (1/4) percent use tax projection was not entirely accurate as sales tax and use tax are received in a variety of ways. The expectation was that the City would receive $4 million from Measure U revenues, but actual revenue only totaled $3.7 million. This year, both sales and use tax are up due to increased consumer spending, and staff expects to receive closer to $4 million by the end of the fiscal year.

Vice-Chair Mollenkopf thanked City staff for their efforts working with the Committee to ensure transparency regarding Measure U2012 funds. She stated that, after reviewing the relevant financial information, the Committee determined that the expenses made with Measure U tax proceeds were done in compliance with Council's intended purpose.

Public Input
There were no requests to speak.

Council Discussion
There was no Council discussion.

The City Council received, and directed staff to file the Measure U2012 Citizens' Oversight Committee Annual Report.

5. CALPERS EXCEPTION TO THE 180-DAY WAIT PERIOD. City Manager Haydon gave a presentation as detailed in the written Council Agenda Report. One of the provisions of the Public Employees' Pension Reform Act of 2013 governs post-retirement employment for retirees. Under normal circumstances CalPERS retirees must wait 180 days before they can be rehired by a CalPERS employer provided the work is of a limited duration in a retired annuitant-designated position, the time worked is 960 hours or less in a fiscal year, hourly pay is within the salary schedule for the position, and no additional compensation or benefits are paid.

One exception to these rules allows an employer to employ a recent retiree before the expiration of the 180-day wait period if the governing body certifies through the adoption of a resolution that the appointment is necessary to fill a critical need position, prior to the expiration of the 180-day wait period. Staff is requesting that City Council allow Mr. Richard Sweet, retired Utilities Director, to stay on as a retired annuitant to perform the duties of Project Manager for the City of Santa Maria. Mr. Sweet would be continuing to work on the following critical projects: water sales agreements, telecommunication projects (cell towers at Los Flores Ranch and the new radio system for the Police Department), and the fiber optic project.

Public input.
There were no requests to speak.

Council discussion.
Councilmember Boysen commented that the process of bringing back recent retirees has received some criticism from the public. He stated he wanted to assure the public that it is rare for the City to bring a retiree back on staff, and that Mr. Sweet's expertise was truly required for some of the proposed projects to be successful, specifically regarding the State Water Project and potential contract transfers.

Mayor Patino agreed with Councilmember Boysen's comments.

Councilmember Zuniga reiterated that Mr. Sweet was not being hired back as a full-time employee and there were set limitations on the position.

Resolution No. 2015-22 was adopted approving a resolution for the CalPERS exception to the 180-day wait period, pursuant to Government Code Sections 7522.56 and 21224 on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES:	Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2015-22 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A RESOLUTION FOR THE CALPERS EXCEPTION TO

THE 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21224.

REPORT BY CITY MANAGER:
City Manager Haydon reported on items for the March 17, 2015 City Council meeting to include a Proclamation recognizing the 50th Anniversary of St. Joseph High School; the 2015 Weed Abatement Program; public hearings for Bethel Lutheran Senior Housing, the Housing Element Update, and an authorization to initiate a Second-Unit Ordinance.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Boysen reported that he attended an ad-hoc committee meeting with the Central Coast Collaborative on Housing (C3H); Chaired a meeting of an ad-hoc committee that is reviewing the salaries of the Board of Supervisors; met with, and received a report from, the Investment Oversight Committee; attended the monthly Central Coast Water Authority Board meeting that is currently working on transferring the State Water Contract from the County of Santa Barbara to CCWA; and met with water broker, Eric Robbins, to discuss financing details that will come before the City Council. He also commented that the recently conducted Point-in-Time homeless survey may not give a 100 percent accurate portrayal of the homeless situation in Santa Maria, the primary issue being that only adults were counted. South County actually counted children which made their numbers substantially higher than those reflected for North County.

Councilmember Waterfield asked if the exact same questions were asked in both Counties.

Councilmember Boysen responded that the questions were the same, but the people being asked varied; and families in the North County were counted as one person.

Councilmember Orach reported that he attended a LAFCO meeting which addressed creating a Community Services District in the Isla Vista community; and the State of City Business Development Forum with the Chamber of Commerce.

Councilmember Waterfield reported that she had been meeting with various City Department Heads over the last couple of weeks. She also attended an APCD meeting in Santa Barbara; the SBCAG meeting; and read to first graders at a recent read-a-thon.

Councilmember Zuniga reported that she attended the C3H meeting and represented the City at the NAACP meeting at Preisker Park.

Mayor Patino reported that she attended the State of Vandenberg luncheon; the SBCAG monthly Board meeting in Santa Barbara; the 52nd Annual City Employee Service Awards Dinner; the Rotary meeting; a dedication ceremony at Allan Hancock College; a State of the City Business Development Forum; a meeting with Urban Planning Concepts; a ribbon cutting ceremony at the Berry Shop; the Fighting Back Santa Maria Valley Board meeting; the Read Across America event at Taylor and Tunnel Schools; a briefing on the results from the 2015 Point in Time Count and Vulnerability Index survey; spoke on the Ben Heighes Radio Show; and a Rotary meeting.

CLOSED SESSION:
The City Council recessed at 7:24 p.m. to a Closed Session regarding 1) Conference with Legal Counsel pursuant to 54956.9 Subdivision (d) (1) of the Government Code, Daniel Ast, et al. v. City of Santa Maria, Case No. 2:14-cv-02909-JGC, United States Federal Court, Central District of California.

CLOSED SESSION REPORT:
Following the Closed Session, the City Attorney stated that there was no reportable action.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 7:39 p.m.

APPROVED:

March 17, 2015
Date

Rhonda M. Garietz
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Alice M. Patino
Mayor of the City of Santa Maria

ATTEST:

Rhonda M. Garietz
Chief Deputy City Clerk